



April 23, 2004

Warwick man is sentenced for software piracy

A group known as DrinkOrDie distributed pirated computer programs, movies and computer games over the Internet

A federal judge today sentenced **David C. Russo**, of Warwick, to 13 months in federal prison for his participation in a software piracy network that distributed stolen computer programs, movies, and games over the Internet. Russo, 50, of 106 Brunswick Drive, admitted last April that he tested pirated software for the group, known as DrinkOrDie.

The Office of the United States Attorney announced the sentence, which Chief U.S. District Court Judge Ernest C. Torres imposed in U.S. District Court, Providence. Judge Torres also fined Russo \$6,000.

The "warez scene"

At a plea hearing in April 2003, Michael DuBose, Senior Counsel with the Department of Justice Computer Crime and Intellectual Property Section, said that DrinkOrDie was a highly structured group of about 60 members that specialized in distributing copies of pirated computer software over the Internet. The group sought to be the fastest provider of the highest quality pirated software to an underground Internet community known as the "warez scene."

Certain members of DrinkOrDie would obtain advance copies of computer programs not yet commercially available and circumvent the copyright protections embedded in the software. Using a screen nickname, "Ange," Russo operated the decoded programs on his home computer

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to determine if they still functioned properly. The pirated software was then posted on File Transfer Protocol (FTP) sites throughout the world.

In return for his testing, Russo received access to FTP sites through which he could download an unlimited variety of pirated software, games, movies, and music. Over a one-year period between November 2000 and October 2001, Russo uploaded or downloaded thousands of pirated programs, games and movies. During the same time period, the DrinkOrDie group as a whole was responsible for cracking and distributing over the Internet more than 270 software titles, many before they became commercially available.

In a plea agreement filed with the court, Russo admitted that DrinkOrDie caused between 2.5 million and five million dollars in losses to various software companies.

Operation Buccaneer

In 2000, DrinkOrDie and other piracy groups became the focus of a federal investigation known as Operation Buccaneer, led by the **United States Customs Service** (now known as **U.S. Immigration and Customs Enforcement**) and the **Department of Justice Computer Crimes and Intellectual Property Section**. As a result of Operation Buccaneer, 27 defendants have been convicted of federal charges in Rhode Island, Virginia, California, and Illinois. Related prosecutions in the United Kingdom and Finland have resulted in five additional convictions of individuals on copyright infringement and fraud charges.

Mr. DuBose prosecuted the case, with assistance from Assistant U.S. Attorneys Dulce Donovan and Andrew J. Reich.

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Additional information about Operation Buccaneer can be found at
<http://www.cybercrime.gov/ob/OBMain.htm>